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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/635,232

08/09/2000

Shiri Kadambi

108339-00021

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32294

7590

10/04/2005

SQUIRE, SANDERS & DEMPSEY L.L.P.

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8000 TOWERS CRESCENT

TYSONS CORNER, VA 22182

EXAMINER

HARPER, KEVIN C

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/635,232

Applicant(s)

KADAMBI ET AL.

Examiner

Kevin C. Harper

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-29, 31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-29, 31 and 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### ***Response to Arguments***

Applicant's arguments, filed September 13, 2005, with respect to the claims have been fully considered and are persuasive. The previous rejection has been withdrawn. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. The indicated allowability of claims 22-24, 30-31 and 33 is withdrawn in view of the newly discovered reference to Simmons. Rejections based on the newly cited reference follow.

### ***Claim Objections***

1. Claims 20-21 are objected to because in claim 20, line 11, "upon the rules tag" should be -- upon a rules tag--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 20-24, 26-29 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cotton et al. (US 5,237,571) in view of Sherer et al. (US 5,568,476) and Simmons et al. (US 6,084,856).

2. Regarding claims 20-22, 24, 26-29 and 32-33, Cotton discloses a method of sending packets between trunked network switches (fig. 1, items 20 and fig. 3C). The method comprises receiving a packet from a source at a first port of a first trunked network switch (col. 5, lines 2-4), identifying the first switch having ports (col. 4, lines 43-50), where an adjustable number of ports are bundled as a trunk group (col. 18, lines 13-16), identifying that the packet is received from the source at an

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ingress unit and is destined for a destination which must be accessed through the trunk group to a second trunked network switch (col. 11, lines 25-29), identifying an appropriate trunk port of the trunk group to sent the packet to the destination by an identifying unit (col. 18, lines 43-45) and forwarding the packet to the destination on the appropriate trunk port by a forwarding/sending unit (col. 24, lines 28-30). A trunk port group is identified through a lookup table entry based on the destination address (col. 11, lines 22-29). Further regarding claims 26 and 33, the system of Cotton includes several switches (fig. 1) a trunk group connection, a sending unit, an ingress unit, an identifying unit and a forwarding unit (fig. 1, item 20; fig. 3b).

3. However, Cotton does not disclose identifying that a packet is destined for a destination that must be accessed through a trunk group by checking a trunk bit. Sherer discloses a link table having a bit that indicates that several ports are to be used to transmit a packet to a destination (col. 9, lines 19-25, 31-34 and 51-53). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to check a trunk bit which indicates that a packet is to be transmitted over multiple links in the invention of Cotton in order to facilitate and coordinate a multiple port transmission among various internal components (Sherer, fig. 5, col. 10, lines 54-56).

4. Further, Cotton in view of Sherer does not disclose determining a trunk port index based on a rules tag. Simmons discloses determining a port index based on a rules tag (col. 6, lines 40-48; col. 6, lines 27-31). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to determine the correct ports to transmit a packet based on a rules tag and a trunk group identification in the invention of Cotton in view of Sherer in order to properly route a data packet based on a pre-established logical routing scheme (Simmons, col. 6, lines 20-26).

5. Regarding claims 23 and 31, the limitations of these claims have been addressed in the rejection of claims 20 or 26 above. Further, Cotton in view of Sherer and Simmons does not

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disclose determining a rules tag based on an IP address. One skilled in the art would recognize that an IP address is used in routing data packets. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to determine a rules tag based on an IP address in the invention of Cotton in view of Sherer and Simmons in order to provide routing based on widely used IP packets.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cotton et al. (US 5,237,571) in view of Sherer et al. (US 5,568,476), Simmons et al. (US 6,084,856) and Chou et al. (US 5,386,414).

6. The limitations have been addressed in rejecting claims 20 and 26 above, with the exception of modifying a trunk group table to reflect trunk port failures. Cotton in view of Sherer and Simmons does not disclose modifying a trunk group table to reflect trunk port failures. Chou discloses modifying a trunk group table to omit failed trunks (col. 3, lines 32-46; col. 5, lines 21-27). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to change a trunk group table in the invention of Cotton in view of Sherer in order to accurately transmit data to a destination.


### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hiscock et al. (US 6,195,349) discloses a trunk cluster of a local area network (fig. 1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

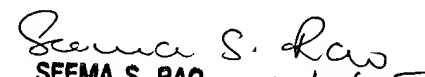
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

October 3, 2005



SEEMA S. RAO 10/3/05  
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TECHNOLOGY CENTER 2800